

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
AMY B. CLEARY
3 Assistant Federal Public Defender
411 E. Bonneville, Ste. 250
4 Las Vegas, Nevada 89101
(702) 388-6577/Phone
5 (702) 388-6261/Fax
Amy_Cleary@fd.org
6 Attorney for Marcus Anthony Wells
7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 MARCUS ANTHONY WELLS,
15 Defendant.

Case No. 2:17-cr-00187-RFB

**STIPULATION TO CONTINUE
DEADLINES**
(First Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
18 Trutanich, United States Attorney, and Elizabeth O. White, Assistant United States Attorney,
19 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
20 and Amy B. Cleary, Assistant Federal Public Defender, counsel for Marcus Anthony Wells,
21 that the following due dates, as ordered by this Court [ECF. No. 103] be extended.

22 IT IS FURTHER STIPULATED AND AGREED by and between the parties, that the
23 Office of the Federal Public Defender must electronically file, under seal, the Defendant's
24 financial affidavit, which is currently due September 3, 2019, by October 2, 2019.¹

25
26 ¹ Defendant's financial affidavit was due on September 2, 2019, according to the Court's
Minute Order. However, as September 2, 2019, was a federal holiday, the filing due date
became September 3, 2019.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that the
2 Defendant's Motion for Relief under *Rehaif*, which is currently due September 16, 2019, be
3 filed by October 16, 2019, and the Government's Reply, which is currently due September 30,
4 2019, be filed by October 30, 2019.

5 The Stipulation is entered into for the following reasons:

6 1. Counsel for the Defendant needs additional time to make contact with the
7 Defendant who is incarcerated by the Bureau of Prisons at Victorville USP, where it has
8 been difficult to arrange any confidential legal calls with Defendant and to receive legal
9 mail from Defendant. Without the ability to communicate freely and fully with
10 Defendant, it is, unfortunately, not possible for defense counsel to comply with the
11 deadlines previously set by the Court in this matter.

12 2. The parties agree to the continuance of the deadlines as set forth herein.

13 3. This is the first stipulation to continue the deadlines relative to Defendant's
14 *Rehaif* motion.

15 DATED this 3rd day of September, 2019.

16 RENE L. VALLADARES
17 Federal Public Defender

18 By Amy B. Cleary

19 AMY B. CLEARY
Assistant Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

By Elizabeth O. White

ELIZABETH O. WHITE
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 MARCUS ANTHONY WELLS,

7 Defendant.

Case No. 2:17-cr-00187-RFB

8 FINDINGS OF FACT AND ORDER

9
10 FINDINGS OF FACT

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Counsel for the Defendant needs additional time to make contact with the
14 Defendant who is incarcerated by the Bureau of Prisons at Victorville USP, where it has been
15 difficult to arrange confidential legal calls with Defendant and to receive legal mail from
16 Defendant. Without the ability to communicate freely and fully with Defendant, it is not
17 possible for defense counsel to comply with the deadlines previously set by the Court in this
18 matter.

19 2. The parties agree to the continuance of the deadlines as set forth herein.

20 3. This is the first stipulation to continue the deadlines relative to Defendant's
21 *Rehaif* motion.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

IT IS FURTHER ORDERED that the Defendant's Motion for Relief Under *Rehaif* is due October 16, 2019, and the Government's Reply is due by October 30, 2019.



4